

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the above-captioned patent application:

**Listing of Claims:**

1. (Currently Amended) A switch assembly for a medical diagnostic instrument having a lamp assembly with at least one electrical contact, said instrument further including a handle containing at least one battery ~~and including a lamp assembly having at least one electrical contact~~, said switch assembly including:  
at least one movable member engageable with ~~at least one of~~ said at least one battery ~~and said lamp assembly~~, said movable member having an engagement portion for selectively moving to move one of said at least one battery ~~and said lamp assembly~~ from a first position in which said electrical contact and said at least one battery ~~batteries are in electrical connection~~ in electrical contact with one another and a second position in which a spacing is formed between said at least one battery and said electrical contact of said lamp assembly wherein said at least one battery is biasedly positioned within said handle to engage said electrical contact, said engagement portion of said movable member being applicable to overcome the biasing force to form said spacing.

2. (Original) A switch assembly as recited in Claim 1, wherein said switch assembly is a single plastic injection molded part.

3. (Currently Amended) A switch assembly as recited in Claim 1, wherein said at least one movable member ~~[[is]]~~ comprises a lever including an exterior portion that is accessible to a user.

4. (Original) A switch assembly as recited in Claim 3, wherein said lever is pivotally disposed between the top of said at least one said battery and the electrical contact of said lamp assembly.

5. (Canceled).

6. (Currently Amended) A switch assembly as recited in Claim 1, wherein said ~~at least one movable member includes~~ engagement portion is defined by an angled surface, said movable member being movable so as to move said angled surface of said engagement portion between the top of said at least one battery and the electrical contact of said lamp assembly to selectively create ~~a gap~~ said spacing therebetween.

7. (Original) A switch assembly as recited in Claim 1, wherein said at least one battery is biased into electrical connection with said electrical contact by a spring, wherein said movable member acts to counteract the biasing force of said spring.

8. (Original) A switch assembly as recited in Claim 1, wherein said instrument includes a pair of vertically stacked batteries.

9. (Original) A switch assembly as recited in Claim 1, wherein said movable member is securable in at least one of said positions.

10. (Original) A switch assembly as recited in Claim 9, including a detent mechanism for securing said movable member in at least one of said positions.

11. (Currently Amended) A handheld diagnostic instrument including:  
a housing;  
at least one battery retained within said housing;  
a light source assembly contained within said housing, said light source assembly having an electrical contact in proximity to said at least one battery wherein said at least one battery is biased into electrical contact with the contact of said light source assembly; and

a switch assembly having ~~means~~ an engagement portion for selectively overcoming said biasing force and moving at least one of said at least one battery ~~and said light source relative to the other~~ from a first position to define a spacing in order to permit selective energization and de-energization of said light source assembly.

12. (Currently Amended) An instrument as recited in Claim 11, wherein said light source ~~[[is]]~~ assembly includes a miniature incandescent lamp.

13. (Canceled).

14. (Original) An instrument as recited in Claim 11, wherein said switch assembly includes a movable member that is movable between a first position and a second position.

15. (Original) An instrument as recited in Claim 14, wherein said movable member comprises a single injection molded part.

16. (Original) An instrument as recited in Claim 14, wherein said movable member comprises a lever having an exterior portion that is operable by a user.

17. (Currently Amended) An instrument as recited in Claim 16, wherein at least a portion of said lever is pivotally positioned between said battery and said electrical contact of said ~~lamp~~ light source assembly.

18. (Original) An instrument as recited in Claim 17, wherein said lever is retained by a cylindrical band.

19. (Currently Amended) An instrument as recited in Claim 11 ~~14~~, wherein said ~~movable member~~ engagement portion includes at least one angled section that can be selectively interposed between said battery and the electrical contact of said light source assembly.

20. (Original) An instrument as recited in Claim 11, wherein said housing includes a handle, said instrument further including a sleeve member that can be placed onto the exterior of said handle.

21. (Original) An instrument as recited in Claim 20, including a plurality of sleeve members that can be replaceably attached to said handle.

22. (Currently Amended) An instrument as recited in Claim 11, including at least one instrument head releasably attachable to said housing wherein said light source assembly is supported in one of said housing and said at least one instrument head.

23. (Currently Amended) An instrument as recited in Claim 22, wherein said at least one instrument head retains said light source assembly, said switch assembly causing selective movement of said at least one battery ~~batteries~~ relative to an electrical contact of said light source assembly to cause energization and deenergization thereof after said at least one instrument head is attached to said housing.

24. (Original) An instrument as recited in Claim 22, wherein said instrument head is releasably fastened to said housing by a threaded connection and in which said connection causes said instrument head to be secured to said housing in an aligned manner relative to said switch assembly.

25. (Withdrawn) A handheld diagnostic instrument comprising:  
a handle;  
an instrument head releasably attached to said handle; and  
at least one plastic sleeve member attachable over the exterior of said handle.

26. (Withdrawn) A diagnostic instrument as recited in Claim 25, wherein  
said handle is made from a conductive material.

27. (Withdrawn) A diagnostic instrument as recited in Claim 26, wherein  
said handle is made using an extrusion process.

28. (Withdrawn) A diagnostic instrument as recited in Claim 25,  
including a top cap interconnecting said instrument head and said handle, said top  
cap being made using a metal die cast process.

29. (Withdrawn) A diagnostic instrument as recited in Claim 25, wherein  
said at least one sleeve member is shrink fitted onto said handle.

30. (Withdrawn) A diagnostic instrument as recited in Claim 25, wherein  
said at least one sleeve member includes at least one of a graphic and a textual  
symbol.

31. (Currently Amended) A method of operating a medical diagnostic  
instrument, said method including the steps of:  
disposing an electrical contact of a lamp assembly of said instrument into  
biased electrical connection with at least one retained battery of said instrument; and  
selectively moving at least one of said lamp assembly and said at least one  
battery out of electrical contact with the other said lamp assembly by overcoming  
said biased connection, using a mechanical switch to cause the selective movement  
of said at least one battery.

32. (Canceled).

33. (Currently Amended) A method as recited in Claim ~~[[32]]~~ 31, wherein said mechanical switch includes a movable member, said movable member being pivotally movable to cause movement of said at least one battery ~~and said lamp assembly~~.

34. (Withdrawn) A method for fabricating a diagnostic instrument, said instrument including a handle, an instrument head, and a top cap interconnecting said instrument head to said handle, said method including the steps of;  
extruding said handle; and  
applying a thin plastic sleeve member onto the exterior of said handle.

35. (Withdrawn) A method as recited in Claim 34, including the additional step of adding at least one graphic and textual symbol to said sleeve member.

36. (Withdrawn) A method as recited in Claim 34, including the additional step of fabricating said top cap from a metal die cast process.